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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 20th March 1963:—

Issue No.	No. and Date	Issued by	Subject
48	G.S.R. 463, dated 18th March, 1963.	Ministry of Food and Agriculture.	Appointing the 18th day of March, 1963, as the date on which the Warehousing Corporations Act, 1962 (58 of 1962) shall come into force.
	G.S.R. 464, dated 18th March, 1963.	Ditto.	Establishing the Central Warehousing Corporation with effect from the 18th day of March, 1963.
	G.S.R. 465, dated 18th March, 1963.	Ditto.	Names of the persons nominated by the Central Government and by the State Bank of India.
49	G.S.R. 509, dated 20th March, 1963.	Rajya Sabha Secretariat.	Further amendments in the First Schedule to those Rules of the Rajya Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1957 with effect from 20th March, 1963.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3—Sub-section (1)**

**General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

**MINISTRY OF HOME AFFAIRS**

*New Delhi, the 25th March 1963*

**G.S.R. 578.**—In exercise of the powers conferred by the proviso to clause (3) of article 320 of the Constitution, the President hereby makes the following amendments in the Union Public Service Commission (Exemption from Consultation) Regulations, 1958, namely:—

1. These regulations may be called the Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1963.

2. In the Schedule to the Union Public Service Commission (Exemption from Consultation) Regulations, 1958, item (13) shall be renumbered as item (15) and the following shall be inserted as items (13) and (14), namely:—

“(13) Official Liquidators and Assistant Official Liquidators under the Companies’ Act, 1956.

(14) National Research Professors under the Ministry of Scientific Research & Cultural Affairs.”

[No. F. 18/10/61-Ests(B).]

U. S. BAJPAL, Under Secy.

*New Delhi, the 26th March 1963*

**THE CENTRAL SECRETARIAT SERVICE\* (SENIORITY OF TRANSFERRED OFFICERS) REGULATIONS, 1963**

**G.S.R. 579.**—In pursuance of sub-rule (6) of rule 18 of the Central Secretariat Service Rules, 1962, the Ministry of Home Affairs hereby makes the following regulations, namely:—

1. **Short title.**—These regulations may be called the Central Secretariat Service (Seniority of Transferred Officers) Regulations, 1963

2. **Definitions.**—(1) In these regulations, unless the context otherwise requires,—

- (a) “approved continuous service” in relation to any Grade means the period of continuous service in the Grade rendered after regular selection for long-term appointment to the Grade, and includes any period or periods during which a member of the Service would (after such selection) have held a duty post in the Grade but for his being on leave or otherwise not available to hold such duty post;
- (b) “competitive examination” in relation to a Grade of the Service means the competitive examination held by the Commission for direct recruitment to that Grade;
- (c) “limited competitive examination” means the limited departmental competitive examination referred to in the Fourth Schedule to the Central Secretariat Service Rules, 1962;
- (d) “new cadre” means the cadre to which a member of the Service is transferred from another cadre;
- (e) “old cadre” means the cadre from which a member of the Service is transferred to another cadre;

- (f) "promoted officer" in relation to any Grade of the Service means a person other than a direct recruit to the Grade;
- (g) "Rules" means the Central Secretariat Service Rules, 1962;
- (h) "transferred officer" means a member of the Service transferred from one cadre to another.

(2) All other words and expressions used in these regulations and not defined herein shall have the meanings respectively assigned to them in the Rules.

**3. Seniority of transferred officers.**—(1) A member of the Service appointed to a Grade before the appointed day and included in the initial constitution of any cadre under rule 8 of the Rules, shall, on his transfer to another Cadre, be assigned seniority *vis-a-vis* officers of that Grade included in the initial constitution of the new cadre, with reference to his relative seniority *vis-a-vis* such officers as determined before the appointed day:

Provided that if the relative seniority of a transferred officer *vis-a-vis* the other officers had not been specifically determined before the appointed day, it shall be as determined by the Ministry of Home Affairs.

(2) A member of the Service appointed to the Section Officers' Grade of any cadre after the appointed day shall, on his transfer to another cadre, be assigned seniority *visa-vis* officers appointed to that Grade after the appointed day in the new cadre as follows, namely:—

- (i) A direct recruit shall be assigned seniority *vis-a-vis* permanent officers of the Grade in the new cadre as if he were a direct recruit allotted to that cadre on the results of the same competitive examination from which he has been recruited.
- (ii) A promoted officer who had been or is included in the Select List for the Grade in the old cadre on the results of the limited competitive examination shall be assigned seniority *vis-a-vis* permanent or temporary officers of the Grade, as the case may be, in the new cadre, as if he had been included in the Select List for the Grade in that cadre on the results of the same limited competitive examination.
- (iii) A promoted officer who had been or is included in the Select List for the Grade in the old cadre on the basis of seniority in the Assistants' Grade shall on his transfer to another cadre be assigned seniority *vis-a-vis* officers appointed to that Grade in the new cadre as follows, namely:—
  - (a) if he is a permanent officer, he shall rank just above the senior-most permanent promoted officer, included on the basis of seniority in the Assistants' Grade in the Select List of the new cadre, whose date of substantive appointment is later than that of the transferred officer;
  - (b) if he is a temporary officer, he shall rank just above the senior-most temporary officer, included on the basis of seniority in the Assistants' Grade in the Select List of the new cadre in the same year, whose length of approved continuous service in the Grade is less than that of the transferred officer.
- (iv) A promoted officer not included in the Select List for the Grade in the old cadre, shall be assigned seniority below all such temporary officers of the Grade in the new cadre who have rendered longer or the same length of approved continuous service in the Grade.

**NOTE.**—For the purpose of this regulation, an officer of Grade I of the Central Secretariat Stenographers Service appointed to the Section Officers' Grade under sub-rule (3) or sub-rule (4) of rule 13 of the Rules shall be deemed to be a "promoted officer" included in the Select List for the Grade in the old cadre on the basis of seniority in the Assistants' Grade with effect from 1st July of the year in which he was appointed to Grade I of the Central Secretariat Stenographers Service on a long-term basis, after selection according to prescribed procedure, and "approved continuous service" in the Section Officers' Grade for this purpose shall include such service rendered in Grade I of the Central Secretariat Stenographers Service.

(3) A member of the Service appointed to the Section Officers' Grade of any cadre on transfer from another cadre under the second proviso to rule 13(2) of the Rules shall be assigned seniority in the Section Officers' Grade of the new cadre below all existing temporary officers of the Grade in that cadre. If two or more such officers are appointed on the same date, under the second proviso to rule 13(2) aforesaid, to the Section Officers' Grade of the new cadre by transfer from the same cadre, their *inter se* seniority shall be as in the Assistants' Grade of the old cadre, and if they are so appointed by transfer from two or more different cadres, their *inter se* seniority shall be determined in accordance with the seniority admissible to them in the Assistants' Grade of the new cadre under clause (1) or clause (4) of this regulation as the case may be.

(4) A member of the Service appointed to the Assistants' Grade of any cadre after the appointed day shall, on his transfer to another cadre, be assigned seniority *vis-a-vis* officers appointed to that Grade after this appointed day in the new cadre as follows, namely:—

- (i) A direct recruit shall be assigned seniority *vis-a-vis* permanent officers of the Grade in the new cadre as if he were a direct recruit allotted to that cadre on the results of the same competitive examination from which he has been recruited.
- (ii) A promoted officer who had been or is included in the Select List for the Grade in the old cadre shall, on his transfer to another cadre, be assigned seniority *visa-a-vis* officers appointed to that Grade in the new cadre after the appointed day as follows, namely:—
  - (a) if he is a permanent officer, he shall rank just above the senior-most permanent promoted officer included in the Select List of the new cadre whose date of substantive appointment is later than that of the transferred officer;
  - (b) if he is a temporary officer, he shall rank just above the senior-most temporary officer included in the Select List of the new cadre in the same year, whose length of approved continuous service in the Grade is less than that of the transferred officer.
- (iii) A promoted officer not included in the Select List for the Grade in the old cadre shall be assigned seniority below all such temporary officers of the Grade in the new cadre who have rendered longer or the same length of approved continuous service in the Grade.

(5) A member of the Service appointed to the Assistants' Grade of any cadre on transfer from another cadre under the second proviso to rule 13(7) of the Rules shall be assigned seniority in the Assistants' Grade of the new cadre below all existing temporary officers of the Grade in that cadre. If two or more such officers are appointed on the same date, under the second proviso to rule 13(7) aforesaid, to the Assistants' Grade of the new cadre by transfer from the same cadre, their *inter se* seniority shall be as in the Upper Division Grade of the Central Secretariat Clerical Service in the old cadre, and if they are so appointed by transfer from two or more different cadres, their *inter se* seniority shall be determined in accordance with the seniority admissible to them in the Upper Division Grade of the Central Secretariat Clerical Service in the new cadre, under regulation 3 of the Central Secretariat Clerical Service (Seniority of Transferred Officers) Regulations, 1963.

*Explanation.*—"Existing temporary officers of the Grade" in this regulation includes all temporary officers who would, after regular selection for long-term appointment to the Grade, have held duty posts of the Grade, in the new cadre but for their being on leave or otherwise not available for holding such duty posts, on the date on which the transferred officer is appointed in the new cadre.

[No. 28/62-I/CS(A).]

THE CENTRAL SECRETARIAT STENOGRAPHERS SERVICE (SENIORITY OF TRANSFERRED OFFICERS) REGULATIONS, 1963

G.S.R. 580.—In pursuance of sub-rule (5) of rule 17 of the Central Sec

tariat Stenographers Service Rules, 1962, the Ministry of Home Affairs hereby makes the following regulations, namely :—

1. **Short title.**—These regulations may be called the Central Secretariat Stenographers Service (Seniority of Transferred Officers) Regulations, 1963.

2. **Definitions.**—(1) In these regulations, unless the context otherwise requires,—

- (a) "approved continuous service" in relation to any Grade means continuous service in the Grade rendered after regular selection for long-term appointment to the Grade and includes any period or periods during which a member of the Service would (after such selection) have held a duty post in that Grade but for his being on leave or otherwise not available for holding such duty post;
- (b) "competitive examination" means the competitive examination held by the Commission for direct recruitment to Grade II of the Service;
- (c) "new cadre" means the cadre to which a member of the Service is transferred from another cadre;
- (d) "old cadre" means the cadre from which a member of the Service is transferred to another cadre;
- (e) "Rules" means the Central Secretariat Stenographers Service Rules, 1962;
- (f) "transferred officer" means a member of the Service transferred from one cadre to another.

(2) All other words and expressions used in these regulations and not defined herein shall have the meanings respectively assigned to them in the Rules.

3. **Seniority of transferred officers.**—(1) A member of the Service appointed to a Grade before the appointed day and included in the initial constitution of any cadre under rule 7 of the Rules, shall, on his transfer to another cadre, be assigned seniority *vis-a-vis* the officers of that Grade included in the initial constitution of the new cadre with reference to his relative seniority *vis-a-vis* such officers as determined before the appointed day :

Provided that if the relative seniority of a transferred officer *vis-a-vis* the other officers had not been specifically determined before the appointed day, it shall be as determined by the Ministry of Home Affairs.

(2) A permanent or temporary officer of Grade I of the Service appointed to that Grade in any cadre after the appointed day shall on his transfer to another cadre be assigned seniority *vis-a-vis* officers appointed to that Grade after the appointed day in the new cadre as follows, namely :—

- (a) if he is a permanent officer, he shall rank just above the senior-most permanent officer of the Grade in the new cadre whose date of substantive appointment is later than that of the transferred officer;
- (b) if he is a temporary officer, he shall rank just above the senior-most temporary officer of the Grade in the new cadre whose length of approved continuous service in the Grade is less than that of the transferred officer.

(3) A member of the Service appointed to Grade I of the Service in any cadre on transfer from another cadre under the second proviso to rule 11(1) of the Rules shall be assigned seniority in that Grade of the new cadre below all existing temporary officers of the Grade. If two or more such officers are appointed on the same date, under the second proviso to rule 11(1) aforesaid, to Grade I of the Service in the new cadre by transfer from the same cadre, their *inter-se* seniority shall be as in Grade II of the Service in the old cadre, and if they are so appointed from two or more different cadres, their *inter-se* seniority shall be determined in accordance with the seniority admissible to them in Grade II of the new cadre under clause (1) or clause (4) of this regulation, as the case may be.

**Explanation.**—"Existing temporary officers of the Grade" in this clause includes all temporary officers of the Grade who would, after regular selection for long-term appointment to the Grade have held duty posts of the Grade in the new cadre but for their being on leave or otherwise not available for holding such duty posts on the date on which the transferred officer is appointed in the new cadre.

(4) A permanent or temporary officer of Grade II appointed to that Grade in any cadre after the appointed day shall, on his transfer to another cadre, be assigned seniority below the junior-most permanent or temporary officer, as the case may be, appointed to the Grade after the appointed day in the new cadre, who has obtained a higher rank in the competitive examination on the results of which the transferred officer was recruited or who has been recruited on the results of an earlier examination.

[No. 28/62-II/CS(A).]

### THE CENTRAL SECRETARIAT CLERICAL SERVICE (SENIORITY OF TRANSFERRED OFFICERS) REGULATIONS, 1963

**G.S.R. 581.**—In pursuance of sub-rule (5) of rule 17 of the Central Secretariat Clerical Service Rules, 1962, the Ministry of Home Affairs hereby makes the following regulations, namely:—

1. **Short title.**—These regulations may be called the Central Secretariat Clerical Service (Seniority of Transferred Officers) Regulations, 1963.

2. **Definitions.**—(1) In these regulations, unless the context otherwise requires,—

- (a) “approved continuous service in the Grade” means continuous service in the Grade rendered after regular selection for long-term appointment to the Grade and includes any period or periods during which a member of the Service would (after such selection) have held a duty post in that Grade, but for his being on leave or otherwise not available for holding such duty post;
- (b) “competitive examination” means the competitive examination held by the Commission for direct recruitment to the Lower Division Grade of the Service;
- (c) “limited competitive examination” means the limited departmental competitive examination referred to in paragraph 2 of the Third Schedule to the Rules;
- (d) “new cadre” means the cadre to which a member of the Service is transferred from another cadre;
- (e) “old cadre” means the cadre from which a member of the Service is transferred to another cadre;
- (f) “Rules” means the Central Secretariat Clerical Service Rules, 1962;
- (g) “transferred officer” means a member of the Service transferred from one cadre to another.

(2) All other words and expressions used in these regulations and not defined herein shall have the meanings respectively assigned to them in the Rules.

3. **Seniority of transferred officers.**—(1) A member of the Service appointed to a Grade before the appointed day and included in the initial constitution of any cadre under rule 7 of the Rules, shall on his transfer to another cadre, be assigned seniority *vis-a-vis* the officers of that Grade included in the initial constitution of the new cadre, with reference to his relative seniority *vis-a-vis* such officers as determined before the appointed day:

Provided that if the relative seniority of a transferred officer *vis-a-vis* the other officers had not been specifically determined before the appointed day, it shall be as determined by the Ministry of Home Affairs.

(2) A permanent or temporary officer of the Upper Division Grade of the Service appointed to that Grade in any cadre after the appointed day shall on his transfer to another cadre be assigned seniority *vis-a-vis* officers appointed to that Grade in the new cadre after the appointed day as follows, namely:—

- (i) A transferred officer who had been or is included in the Select List for the Upper Division Grade in the old cadre on the results of the limited competitive examination shall be assigned seniority *vis-a-vis* permanent or temporary officers of the Grade, as the case may be, in the new cadre as if he had been included in the Select List for the

Grade in that cadre on the results of the same limited competitive examination.

(ii) A transferred officer who had been or is included in the Select List for the Upper Division Grade in the old cadre on the basis of seniority in the Lower Division Grade shall be assigned seniority *vis-a-vis* officers appointed to that Grade in the new cadre as follows, namely:—

(a) if he is a permanent officer, he shall rank just above the senior-most permanent officer included on the basis of seniority in the Lower Division Grade in the Select List of the new cadre, whose date of substantive appointment is later than that of the transferred officer;

(b) if he is a temporary officer, he shall rank just above the senior-most temporary officer included on the basis of seniority in the Lower Division Grade in the Select List of the new cadre in the same year, whose length of approved continuous service in the Grade is less than that of the transferred officer.

(iii) A transferred officer not included in the Select List for the Grade in the old cadre, shall be assigned seniority below all such temporary officers of the Grade in the new cadre who have rendered longer or the same length of approved continuous service in the Grade.

(3) A member of the Service appointed to the Upper Division Grade of any cadre on transfer from another cadre under the second proviso to rule 11(2) of the Rules shall be assigned seniority in the Upper Division Grade of the new cadre below all existing temporary officers of the Grade in that cadre. If two or more such officers are appointed on the same date, under the second proviso to Rule 11(2) aforesaid, to the Upper Division Grade of the new cadre by transferred from the same cadre, their *inter-se* seniority shall be as in the Lower Division Grade of the Service in the old cadre, and if they are so appointed from two or more different cadres, their *inter-se* seniority shall be determined in accordance with the seniority admissible to them in the Lower Division Grade of the new cadre under clause (1) or clause (4) of this regulation, as the case may be.

*Explanation.*—"Existing temporary officers of the Grade" in this clause includes all temporary officers of the Grade who would, after regular selection for long-term appointment to the Grade, have held duty posts of the Grade in the new cadre but for their being on leave or otherwise not available for holding such duty posts, on the date on which the transferred officer is appointed in the new cadre.

(4) A permanent or temporary officer of the Lower Division Grade appointed to that Grade in any cadre after the appointed day shall, on his transfer to another cadre, be assigned seniority below the junior-most permanent or temporary officer, as the case may be, appointed to the Grade after the appointed day in the new cadre, who has obtained a higher rank in the competitive examination on the results of which the transferred officer was recruited, or who has been recruited on the results of an earlier examination.

[No. 28/62-III/CS(A).]

MOHINDAR SINGH, Under Secy.

New Delhi, the 26th March 1963

**G.S.R. 582.**—In exercise of the powers conferred by section 2 of the Union Territory (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Manipur the Bihar Agricultural Produce Markets Act, 1960 (Bihar Act 16 of 1960), as at present in force in the State of Bihar, subject to the following modifications, namely:—

#### MODIFICATIONS

In the said Act,—

#### A—General

Whenever an expression mentioned in column 1 of the Table below occurs in the Act, then, unless that expression is by this notification directed to be other-

wise modified, there shall be substituted therefor the expression set opposite to it in column 2 of the said Table, and there shall also be made in any sentence in which that expression occurs such consequential amendments as the rules of grammar may require—

TABLE

(1)

(2)

State Government  
Chief Commissioner.  
Official Gazette.  
Manipur Gazette.  
Director of Agriculture.  
Director.

## B—Special

1. In section 1, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) It extends to the whole of the Union territory of Manipur.”

2. In section 2, in sub-section (1),—

(i) after clause (e), the following clause shall be inserted, namely:—

“(ee) “Chief Commissioner” means the Chief Commissioner of Manipur;”

(ii) for clause (f), the following clause shall be substituted, namely:—

“(f) “Director” means the Deputy Commissioner, Manipur, and includes any other officer appointed by the Chief Commissioner to discharge all or any of the functions of the Director under this Act;”

(iii) for clause (m), the following clause shall be substituted, namely:—

“(m) “municipality” means any local area declared by or under the Assam Municipal Act, 1956, (Assam Act 15 of 1957), as extended to the Union territory of Manipur, to be a municipality and includes a Town Committee constituted under section 335 of the said Act.”

3. In section 9, in sub-section (1), for clause (vi), the following clause shall be substituted, namely:—

“(vi) one shall be a person elected by the members of the municipality or the members of a Gram Panchayat of the Gram Sabha, established under section 3 of the United Provinces Panchayat Raj Act, 1947, (U.P. Act 26 of 1947), as extended to the Union territory of Manipur, or the members of the Village Authority constituted under the Manipur (Village Authorities in Hill Areas) Act, 1956 (80 of 1956) within whose jurisdiction the principal market yard is situated, from among the members of the municipality or the members of the Gram Panchayat or the members of the Village Authority concerned, as the case may be.”

4. In section 28, in sub-section (2), for the words “State Government” the word “Government” shall be substituted.

5. In section 40, in sub-section (2), for the words “State Government”, the words “Government” shall be substituted.

6. In section 41, for the words “State Government” the words “Manipur Administration” shall be substituted.

7. In section 43,—

(i) for the words “State Government”, the word “Government” shall be substituted;

(ii) for the words “a public demand”, the words “arrears of land revenue” shall be substituted.



8. In section 44,—

- (i) for sub-section (1), the following sub-section shall be substituted, namely:—

"Notwithstanding anything contained in the Rajasthan Weights and Measures (Enforcement) Act, 1958 (Rajasthan Act 32 of 1958), as extended to the Union territory of Manipur, when a difference arises between an Inspector or an Assistant Inspector, appointed under section 15 of the said Act and any person interested as to the meaning or construction of any rule or regulation, as to the method of verifying, adjusting or stamping any weight or weighing instrument in any market area, such difference may, at the request of the person interested or by the Inspector or the Assistant Inspector of his own accord, be referred to the Superintendent, Weights and Measures, Manipur, appointed under section 15 of the said Act and the decision of the said Superintendent shall, subject to the provisions of sub-section (2), be final."

- (ii) Sub-section (2), for the words "Director of Agriculture, Bihar," the word "Director" shall be substituted.

9. For section 50, the following section shall be substituted, namely:—

"50. The accounts of a Market Committee shall be subject to audit by an auditor, appointed by the Chief Commissioner, and the cost of such audit, including the fee of the auditor, shall be paid out of the Market Committee Fund."

10. In section 52, sub-section (4) shall be omitted.

11. In the Schedule:—

- (i) against item "II Pulses", after entry (9), the following entry shall be inserted, namely:—

"(10) Naga Dal."

- (ii) against item "V Fruits", after entry (13), the following entry shall be inserted, namely:—

"(14) Pineapple."

- (iii) against item "VI Vegetables", after entry (16), the following entry shall be inserted, namely:—

"(17) Lai Patta."

- (iv) against item "VIII Animal Husbandry Products", after entry (14), the following entries shall be inserted, namely:—

"(15) Pig.

(16) Dog."

- (v) for the item "X Grass and Fodder", the item "X Grass, Fodder and Thatching Grass" shall be substituted.

#### ANNEXURE

#### THE BIHAR AGRICULTURAL PRODUCE MARKETS ACT, 1960, AS EXTENDED TO THE UNION TERRITORY OF MANIPUR

BIHAR ACT XVI OF 1960

*An Act to provide for the better regulation of buying and selling of agricultural produce and the establishment of markets for agricultural produce in the state of Bihar and for matters connected therewith.*

Be it enacted by the Legislature of the State of Bihar in the Eleventh Year of the Republic of India as follows :—

#### CHAPTER I.—Preliminary

1. **Short title, extent and commencement.**—(1) This Act may be called the Bihar Agricultural Produce Markets Act, 1960.

(2) It extends to the whole of the Union territory of Manipur.

(3) It shall come into force at once.

**2. Definitions.**—(1) In this Act, unless there is anything repugnant in the subject or context,—

- (a) “agricultural produce” includes all produce, whether processed or non-processed of agriculture, horticulture, animal husbandry and forest specified in the Schedule;
- (b) “agriculturist” means a person who ordinarily by himself or by his tenants or hired labour or otherwise, is engaged in the production or growth of agricultural produce, but does not include a trader or broker in agricultural produce notwithstanding that such trader or broker is also engaged in the production or growth of agricultural produce;
- (c) “broker” means an agent whose ordinary course of business is to negotiate and make contracts on payment of commission for the purchase or sale of agricultural produce on behalf of his principal, but does not include the servant of such principal whether engaged in negotiating or making such contracts;
- (d) “bye-laws” means bye-laws made under section 53;
- (e) “commission agent” means a person who on behalf of another person and in consideration of “adat” or commission makes or offers to make a purchase or sale of agricultural produce or does or offers to do anything necessary for completing and carrying out such purchase or sale;
- (ee) “Chief Commissioner” means the Chief Commissioner of Manipur;
- (f) “Director” means the Deputy Commissioner, Manipur, and includes any other officer appointed by the Chief Commissioner to discharge all or any of the functions of the Director under this Act;
- (g) “licensee” means a person or association, firm or company granted a license under this Act;
- (h) “market” means a market established under this Act for the market area and includes a market proper, a principal market yard and sub-market yard or yards, if any;
- (i) “market area” means any area declared to be a market area under section 4;
- (j) “market committee” means a committee established under section 6;
- (k) “market proper” means any area within the market area including all lands, with the buildings thereon, within such distance of the principal or sub-market yard, as the Chief Commissioner may, by notification, declare to be a market proper under section 5;
- (l) “measurer” means a person whose business it is to measure a consignment of agricultural produce for sale;
- (m) “municipality” means any local area declared by or under the Assam Municipal Act, 1956 (Assam Act 15 of 1957), as extended to the Union territory of Manipur, to be a municipality and includes a Town Committee constituted under section 335 of the said Act;
- (n) “prescribed” means prescribed by rules;
- (o) “principal market yard” means any enclosure, building or locality within the market proper declared to be a principal market yard under section 5;
- (p) “retail sale” means a sale of any agricultural produce not exceeding such quantity as may, by bye-law or rule, be fixed in respect of such agricultural produce;
- (q) “rules” means rules made under section 52;
- (r) “schedule” means a schedule to this Act;

- (s) "Secretary" means the person appointed as such under sub-section (1) of section 20 and includes an officiating or acting Secretary;
- (t) "sub-market yard" means any enclosure, building or locality within the market proper declared to be a sub-market yard under section 5;
- (u) "surveyor" means a person whose business it is to survey a consignment of agricultural produce for sale in regard to quality, refraction, adulteration and such other purposes;
- (v) "trade" means any kind of transaction of sale and purchase or any kind of remuneration on sale and purchase of any agricultural produce;
- (w) "trader" means a person ordinarily engaged in the business of buying and selling agricultural produce as a principal or as a duly authorised agent of one or more principals and includes a person ordinarily engaged in the business of processing of agricultural produce;

*Explanation.*—The word "person" includes any firm, joint family, association or body of individuals whether incorporated or not; and

- (x) "weighman" means a person whose business it is to weigh a consignment of agricultural produce for sale.

(2) If a question arises whether any person is or is not an agriculturist or a trader for the purposes of this Act, the decision of the Director on such question shall be final, provided that the Director shall give the said person a reasonable opportunity of being heard before giving his decision.

#### CHAPTER II.—*Constitution of Markets and Market Committees*

**3. Notification of intention of exercising control over purchase and sale of agricultural produce in specified area.**—(1) Notwithstanding anything to the contrary contained in any other Act for the time being in force, the Chief Commissioner may, by notification, declare his intention of regulating the purchase and sale of such agricultural produce and in such area, as may be specified in the notification.

(2) A notification under sub-section (1) shall state that any objection or suggestion which may be received by the Chief Commissioner within a period of not less than two months to be specified in the notification, shall be considered by the Chief Commissioner.

**4. Declaration of market area.**—(1) After the expiry of the period specified in the notification issued under section 3 and, after considering such objections and suggestions as may be received before such expiry and after holding such enquiry as he may consider necessary, the Chief Commissioner may by notification, declare the area specified in the notification under section 3 or any portion thereof to be a market area for the purposes of this Act, in respect of all or any of the kinds of agricultural produce specified in the notification under section 3.

(2) On and after the date of publication of the notification under sub-section (1), or such later date as may be specified therein, no municipality or other local authority, or other person, notwithstanding anything contained in any law for the time being in force, shall, within the market area, or within a distance thereof to be notified in the Manipur Gazette in this behalf, set up, establish, or continue, or allow to be set up, established or continued, any place for the purchase or sale of any agricultural produce so notified, except in accordance with the provisions of this Act, the rules and bye-laws.

*Explanation.*—A municipality or other local authority or any other person shall not be deemed to set up, establish or allow to be set up, established or continued a place as a place for the purchase or sale of agricultural produce within the meaning of this section, if the seller is himself the producer of the agricultural produce offered for sale at such place or any person employed by such producer to transport the same and the buyer is a person who purchases such produce for his own use, or if the agricultural produce is sold by retail sale to a person who purchases such produce for his own use.

(3) Subject to the provisions of section 3, the Chief Commissioner may at any time, by notification, exclude from a market area any area or any agricultural produce specified therein or include in any market area any area or agricultural produce included in a notification issued under sub-section (1).

(4) Nothing in this Act shall apply to a trader whose daily or annual turnover does not exceed such amount as may be prescribed.

**5. Declaration of market yards.**—(1) For each market area there shall be one principal market yard and there may also be one or more sub-market yard or yards as may be necessary.

(2) The Chief Commissioner may, by notification, declare—

(i) any enclosure, building or locality in any market area to be the principal market yard and other enclosures, buildings or localities in such area to be one or more sub-market yard or yards for the said market area; and

(ii) any area, including all lands, with the buildings thereon, within such distance of the market yard or yards as he thinks fit, to be market proper.

**6. Establishment of the Market Committee.**—For every market area the Chief Commissioner shall, by notification, establish a Market Committee.

**7. Strength of the Market Committee.**—A Market Committee shall consist of 15 members.

**8. Constitution of the First Market Committee.**—(1) All the members of the first Market Committee shall be appointed by the Chief Commissioner from among persons representing the same interest and in the same proportion as specified in section 9.

(2) The Chief Commissioner shall appoint one from among the members appointed under sub-section (1) to be the Chairman and another member to be the Vice-Chairman of the first Market Committee.

(3) The term of office of the members, including the Chairman and the Vice-Chairman, of the first Market Committee shall, save as otherwise provided in the Act, be one year from the date of the publication of their names in the Manipur Gazette under section 13, and shall include any further period which may elapse between the expiration of the said one year and the date of the first meeting of the second Market Committee at which a quorum is present.

**9. Constitution of the second and subsequent Market Committees.**—(1) Of the members of the second and every subsequent Market Committee—

(i) seven shall be persons elected by the agriculturists of the area for which it is established from amongst themselves in the manner prescribed;

(ii) three shall be persons elected by the traders, other than co-operative societies, holding valid licenses under this Act, from amongst themselves, in the manner prescribed;

(iii) two shall be persons elected by the co-operative societies holding a license under this Act from amongst their members in the manner prescribed;

(iv) one shall be a person appointed by the Co-operative bank of the market area provided that if there are more Co-operative banks than one in the said area the appointment shall be made by the said Co-operative banks in such order of rotation as may be specified in this behalf by the Chief Commissioner;

(v) one shall be a person appointed by the Chief Commissioner;

(vi) one shall be a person elected by the members of the municipality or the members of a Gram Panchayat of the Gram Sabha, established under section 3 of the United Provinces Panchayat Raj Act, 1947 (U.P. Act 26 of 1947), as extended to the Union territory of Manipur, or the members of the Village Authority constituted under the Manipur (Village Authorities in Hill Areas) Act, 1956 (80 of 1956) within whose jurisdiction the principal market yard is situated, from among the members of the municipality or the members of the Gram Panchayat or the members of the Village Authority concerned, as the case may be.

(2) A member elected under clauses (i), (ii), (iii) and (vi) of sub-section (1) shall cease to hold office as such member if he ceases to be a member of the electorate by which or one of the persons by whom, he was elected, and in the case of a member elected under clause (vi) of the said sub-section, if he is granted a license under this Act for that Market area.

(3) No act done by or on behalf of a Market Committee shall be questioned on the ground merely of the existence of any vacancy or defect in the constitution of the Market Committee.

(4) The second and every subsequent Market Committee shall elect one of its members to be its Chairman and another member to be its Vice-Chairman.

(5) The term of office of members, including the Chairman and the Vice-Chairman, of the second and every subsequent Market Committee, shall, save as otherwise provided in this Act, be three years from the date of the publication of their names as members under section 13, and shall include any further period which may elapse between the expiration of the said three years and the date of the first meeting of the next succeeding Market Committee at which a quorum is present.

10. **Disqualifications of members.**—No person shall be eligible for election or appointment as a member of the Market Committee—

- (a) who is less than 18 years of age;
- (b) who is of unsound mind;
- (c) who is an employee of the Market Committee;
- (d) who has applied for being adjudged an insolvent or is an undischarged insolvent;
- (e) who has been convicted for an offence,—
  - (i) under the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) or the Essential Commodities Act, 1955 (X of 1955), or
  - (ii) involving moral turpitude which, in the opinion of the Chief Commissioner, makes him unfit to be elected or appointed as a member of the Market Committee, or
- (f) who has directly or indirectly any share or interest in any contract with, by or on behalf of the Market Committee.

11. **Filling of casual vacancies.**—If any member is unable, by reason of his death, resignation, removal or otherwise, to complete his term of office, the vacancy so caused shall be filled by the election or appointment, as the case may be, of another person, and the person so elected or appointed shall fill such vacancy for the unexpired portion of the term for which the member in whose place such person is elected or appointed would otherwise have continued in office.

12. **Procedure on failure of electorate to elect members.**—If at any election any of the electorates, mentioned in clauses (i) to (iv) and (vi) of sub-section (1) of section 9 fails, within a period of three months from the date of occurrence of the vacancy, to elect or appoint, as the case may be, a member or members referred to in the said clauses, or on the occurrence of a casual vacancy, to fill the said vacancy as provided in section 11, the Chief Commissioner shall give notice in writing to the electorate concerned to elect or appoint a member or members, as the case may be, or to fill the vacancy within a month from the date of service of such notice, and on the failure of the said electorate again to elect or appoint member or members, as the case may be, or to fill the vacancy within the said period, the Chief Commissioner shall appoint on behalf of the electorate concerned a person or persons as member or members, as the case may be.

13. **Publication of names of members, etc., in the Manipur Gazette.**—The names of the Chairman, Vice-Chairman and of every member appointed or elected under section 8, 9, 11 or 12 shall be published by the Chief Commissioner in the Manipur Gazette.

14. **Removal of member, Chairman or Vice-Chairman from the Market Committee.**—(1) The Chief Commissioner may, if he thinks fit, on the recommendation of the Market Committee supported by at least two-thirds of the total number of its members, remove any member, including the Chairman and Vice-Chairman, of the Market Committee, elected or appointed under this Act, if such member Chairman or Vice-Chairman has, in the opinion of the Chief Commissioner, been guilty of neglect or misconduct in the discharge of his duties or of any disgraceful conduct or has become incapable of performing duties as a member, Chairman or Vice-Chairman, as the case may be:

Provided that no resolution recommending the removal of any such person shall be passed by the Market Committee unless the person to whom it relates has been given a reasonable opportunity of showing cause why such recommendation should not be made.

(2) The decision of the Chief Commissioner under sub-section (1) shall be final.

**15. Sale of agricultural produce.**—All agricultural produce specified in the notification under sub-section (1) of section 4 brought into or produced or processed in the market proper, except such quantity for retail sale or consumption as may in this behalf be prescribed, shall pass through the principal market yard or sub-market yard or yards, as the case may be, and shall not be sold at any other place within the market proper and the sale and purchase of such agricultural produce in such yards shall notwithstanding anything contained in any law, be made by means of open auction except in class or description of cases which may be exempted by the Chief Commissioner.

*Explanation.*—For the purposes of this section, the seller shall be entitled, at his option to accept or reject any bid made at the open auction.

**16. Prohibition of trade allowance except as prescribed.**—No person shall make or recover any trade allowance, other than an allowance prescribed by the rules or bye-laws, in any market area in any transaction in respect of the agricultural produce concerned, and no court, shall, in any suit or proceeding arising out of any such transaction, have regard to or recognise any trade allowance not so prescribed.

*Explanation.*—Every deduction other than a deduction on account of deviation from sample when the purchase is made by sample or on account of deviation from standard when the purchase is made by reference to a known standard or on account of difference between the actual and the standard weight of the container or on account of the admixture of foreign matter, shall be regarded as trade allowance for the purpose of this section.

### CHAPTER III.—*Incorporation of Market Committee: Its Objects, Powers and Duties*

**17. Incorporation of Market Committee.**—Every Market Committee shall be a body corporate by such name as the Chief Commissioner may specify by notification in the Manipur Gazette, and shall have perpetual succession and a common seal, with power to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any such property, subject to the prescribed conditions and restrictions, and may by the said name sue and be sued, and subject to rules, bye-laws and the provisions of this Act, it shall be competent to do all other things necessary for the purposes for which it is established.

**18. Objects and duties of the Market Committee.**—Subject to the other provisions of this Act, the following shall be the objects and duties of the Market Committee:—

- (i) when so required by the Chief Commissioner, to establish a market for the market area providing for such facilities as the Chief Commissioner may, from time to time, direct in connection with the purchase and sale of the agricultural produce concerned;
- (ii) where a market is established under sub-clause (i), to issue licenses in accordance with the rules to traders, commission agents, brokers, weighmen, measures, surveyors, warehousemen and other persons including persons or firms engaged in the processing or pressing of agricultural produce concerned operating in the market;
- (iii) to maintain and manage the principal market yard and sub-market yards and to control, regulate and run the market in the interests of the agriculturists and licensees in accordance with the provisions of this Act, and the rules and the bye-laws made thereunder;
- (iv) to act in the prescribed manner as mediator, arbitrator or surveyor in all matters of difference, disputes, claims, etc., between licensees *inter-se* or between them and persons making use of the market as sellers of agricultural produce;
- (v) to control and regulate the admission of persons to the principal market yard or sub-market yard, to determine the conditions for the use of

the market and to prosecute persons trading without a valid license in the market;

(vi) to bring, prosecute or defend, or aid in bringing, prosecuting or defending any suit, action, proceeding, application or arbitration in regard to any matter on behalf of the committee, or otherwise when directed by the Chief Commissioner or the Director;

(vii) to enforce the provisions of this Act, the rules and bye-laws; and

(viii) to perform such other duties and exercise such other powers as are imposed or conferred upon it by or under this Act, the rules or the bye-laws.

**19. Appointment of sub-committee or joint committee.**—(1) The Market Committee may appoint from among its members and with the previous approval of the Chief Commissioner from outsiders, a sub-committee or a joint committee and may delegate to such committee such of its powers or duties as it may think fit.

(2) The Market Committee may revise any decision of a sub-committee or joint committee.

**20. Appointment and salaries of officers and servants of the Market Committee.**—(1) Every Market Committee shall have a person as a secretary appointed by the Chief Commissioner on such terms and conditions as may be prescribed.

(2) The Chief Commissioner may appoint Engineers and provide such other technical services as it may consider necessary for the efficient working of the market.

(3) The Market Committee shall contribute such sum not exceeding forty per cent of its gross income as may be determined by the Chief Commissioner towards the cost of maintenance of the services mentioned in sub-sections (1) and (2) and of audit.

(4) Subject to the provisions of sub-sections (1), (2) and (3) and the rules and bye-laws, the Market Committee may employ also such number of other officers and servants and pay such officers and servants such salaries, as the Chief Commissioner may sanction.

(5) Subject to the approval of the Chief Commissioner, the Market Committee may, in the case of any of its officers and servants, provide for the payment to them of such leave allowances, pensions or gratuities as it deems proper and may provide for the creation and management of a Provident Fund for compelling contribution thereto on the part of its officers and servants and for supplementing such contribution out of the Market Committee Fund.

**21. Power and duties of the officers and servants of the Committee.**—The Chairman, Vice-Chairman, the Secretary, Engineer and other officers and servants of the Market Committee shall exercise such powers and perform such duties as are conferred or imposed on them by or under this Act or by the Market Committee or the rules or bye-laws.

**22. Responsibilities of the Chairman of the Market Committee.**—(1) The Chairman shall conduct all correspondence in the name of the committee, and shall be responsible for the maintenance of all records and accounts, for the punctual and correct submission of all prescribed reports and accounts and for the custody of all moneys not deposited into the Government treasury or the State Bank of India.

(2) He shall keep a minute book in which shall be entered the proceedings of every meeting of the Committee signed by himself.

**23. President of meetings of the Market Committee.**—The Chairman or in his absence the Vice-Chairman shall preside at every meeting of the Market Committee and in the absence of both, the members present shall elect one from among themselves to preside at the meeting.

**24. Decision to be by majority of votes.**—(1) Save as otherwise provided by this Act every matter coming before the Market Committee shall be decided by a majority of votes of the members present and voting in the meeting.

(2) In case of equality of votes, the President of the meeting shall have a second or casting vote.

**25. Quorum at meeting.**—Seven members shall form the quorum for a meeting of the Market Committee.

**26. Appeal against order passed by Chairman.**—An officer or servant of the Market Committee appointed under sub-section (4) of section 20 considering himself aggrieved by any order of discharge, removal or dismissal passed by the Chairman may appeal to the Market Committee which may, thereupon, affirm, modify or set aside any such order or pass such other order as it thinks fit.

**27. Power to levy fees.**—(1) The Market Committee shall levy and collect market fees on the agricultural produce bought in the market area, at such rate not exceeding fifty naye paise per Rs. 100 worth of agricultural produce, as may be prescribed.

(2) The fee realised from the buyer under sub-section (1) shall be recoverable by the buyer from the seller as a market charge.

**28. Power to borrow.**—(1) A Market Committee may, with the previous sanction of the Chief Commissioner, raise money required for carrying out the purposes of this Act on the security of any property vested in and belonging to such Committee and of any fees leviable by it under this Act.

(2) A Market Committee may, for the purpose of meeting the initial expenditure on land, buildings and equipment required for establishing a market, obtain a loan from the Government.

(3) The conditions subject to which such money or loans shall be raised or obtained and the time within which the same shall be repayable shall be subject to the previous sanction of the Chief Commissioner.

**29. Market Committee Fund.**—All moneys received by a Market Committee shall be paid into a fund to be called the Market Committee Fund and all expenditure incurred by the Market Committee under or for the purposes of this Act shall be defrayed out of the said fund and any surplus remaining with the Market Committee after such expenditure has been met, shall be invested in such manner as may be prescribed in this behalf.

**30. Application of Market Committee Fund.**—Subject to the provision of section 29, the Market Committee Fund may be applied to the following purposes only, namely:—

- (i) the acquisition of a site or sites for the market;
- (ii) the maintenance and improvement of the market;
- (iii) the provision and maintenance of standard weights;
- (iv) the construction and repair of buildings necessary for the purpose of such market and for the health, convenience and safety of the persons using it;
- (v) the pay, pensions, leave allowances, gratuities, compensations for injuries resulting from accidents, compassionate allowances and contributions towards leave allowances, pensions or provident fund of the officers and servants employed by it;
- (vi) the payment of interest on the loans that may be raised for the purposes of the market and the provision of a sinking fund in respect of such loans;
- (vii) the expense of and incidental to elections;
- (viii) the construction, repair and maintenance of the means of communication which are useful for the purposes of development of a market or for the convenience and safety of the persons using it;
- (ix) the planting and rearing of trees, and making arrangements for providing water to the persons and cattle coming to a market and like purposes;
- (x) with the previous sanction of the Director or any other officer specially empowered in this behalf by the Chief Commissioner, any other purpose whereon the expenditure of the market fund is in the public interest;



- (xi) such travelling and other allowances of the members of the Market Committee as may be prescribed; and
- (xii) any other purposes which the Chief Commissioner may notify by a special order.

**31. Execution of contracts.**—(1) Every contract required to be entered into by the Market Committee shall be in writing and signed on behalf of the Market Committee by its Chairman and two other members of the Committee.

(2) No contract other than a contract executed as provided in sub-section (1) shall be binding on the Market Committee.

#### CHAPTER VI.—*Supersession or Dissolution of Market Committee*

**32. Supersession of Market Committee.**—If in the opinion of the Chief Commissioner a Market Committee is not competent to perform, or persistently makes default in performing, the duties imposed on it by or under this Act or exceeds or abuses its powers, the Chief Commissioner may, by notification, supersede such Market Committee:

Provided that before issuing a notification under this section, the Chief Commissioner shall give a reasonable opportunity to the Market Committee for showing cause why it should not be superseded and shall consider the explanations and objections, if any, of the Market Committee.

**33. Consequences of supersession.**—(1) Upon the publication of a notification under section 32 superseding a Market Committee, the following consequences shall ensue:—

- (i) all the members including the Chairman and the Vice-Chairman of the Market Committee shall, as from the date of such publication, be deemed to have vacated their offices;
- (ii) the Chief Commissioner shall by order—
  - (a) constitute a new Market Committee under section 9 within one year of the date of the publication of the notification under section 32, or
  - (b) subject to the provision of sub-clause (a) make such arrangements for a period not exceeding one year for carrying out the functions of the Market Committee as he thinks fit and may for that purpose, direct that all the powers and duties which under the provisions of this Act are to be exercised and performed by the Market Committee or its Chairman, shall be exercised and performed by such person or persons as the Chief Commissioner may appoint in this behalf;

Provided that the person who held the office of secretary of the superseded Market Committee shall not be eligible for such appointment;

- (iii) all the assets vesting in the Market Committee shall, subject to all its liabilities, vest in the Chief Commissioner except that in case a new Market Committee is constituted, they shall vest in the State Government only till the date of the first meeting of the new Market Committee at which a quorum is present and thereafter re-vest in the new Market Committee.

(2) If the Chief Commissioner does not make such an order under clause (ii) of sub-section (1) he shall transfer all the assets of the Market Committee, which remain after the satisfaction of all its liabilities, to the municipality or other local authority, as the case may be, within whose jurisdiction the Market Committee is situated, or if there are more than one such municipalities or other local authorities to each of such municipalities or the other local authorities, such portion of the assets as the Chief Commissioner may determine.

(3) A municipality or other local authority to which the assets of a Market Committee have been transferred under sub-section (2) shall utilise such assets for such object in the area within its jurisdiction as the Chief Commissioner considers to be for the benefit of the agriculturists in that area.

## CHAPTER V.—Miscellaneous

**34. Duty of members, officers and servants of the Committee to furnish information.**—All members, including the Chairman and Vice-Chairman, and all officers and servants of a Market Committee shall furnish information in their possession in regard to the affairs or proceedings of the Committee to the officer appointed by the Chief Commissioner in this behalf, as and when required by him.

**35. Power of inspection.**—(1) The Director, or any officer authorised in this behalf by the Chief Commissioner, by general or special order, shall have power to inspect or cause to be inspected the accounts of the Market Committee or to institute an enquiry into the affairs of the Market Committee and to require the Market Committee or its chairman to do a thing or to desist from doing a thing which he considers necessary in the interest of the market or the Market Committee and to make a written reply to him within a reasonable time stating its or his reasons for not desisting from doing it or for not doing such a thing.

(2) The Director or any other officer authorised under sub-section (1) shall for the purposes of the said sub-section have the powers to summon, and enforce the attendance of witnesses and to compel the production of documents by the same means and, so far as may be, in the same manner as provided in the case of a Civil Court under the Code of Civil Procedure, 1908 (V of 1908).

**36. Power of Director to suspend or cancel license in case of emergency.**—In case of an emergency, the Director may for reasons to be recorded in writing suspend or cancel the license of any market functionary and take such other steps as he may deem fit in the interest of the market:

Provided that before passing an order under this section the Director shall give a reasonable opportunity to the functionary concerned to be heard.

**37. Power of the Chief Commissioner to make arrangements for the performance of the duties and functions of the Committee and the Chairman in certain cases.**—Where the Market Committee is unable or not competent due to any order or decision of a court or any other cause to perform the duties imposed by or under this Act, the Chief Commissioner shall make such arrangements as he deems fit for the performance of the duties and functions of such Market Committee and of the Chairman of the Committee.

**38. Power to pass orders.**—(1) The Chief Commissioner may, at any time, call for and examine the proceedings of any Market Committee for the purposes of satisfying himself as to the legality or propriety of any decision or order passed by the Market Committee and he may after giving an opportunity to the Market Committee to be heard pass such order thereon as he thinks fit.

(2) The Chief Commissioner may, pending the examination and disposal of the matter under sub-section (1), direct that the execution of the decision or orders of the Market Committee be stayed.

**39. Power to amend the Schedule.**—The Chief Commissioner may, by notification, add to, amend or cancel any of the items of agricultural produce specified in the Schedule.

**40. Acquisition of land for the Market Committee.**—(1) If any land is required for the purpose of this Act, the Chief Commissioner may proceed to acquire it under the provisions of the Land Acquisition Act, 1894 (1 of 1894), or any other law for the time being in force.

(2) The land shall vest in the Market Committee on payment by the Market Committee of the compensation awarded under the Land Acquisition Act, 1894 (1 of 1894), or any other law for the time being in force and of all other charges incurred by the Government on account of the acquisition.

**41. Provisions of the Act not to apply in certain cases.**—The provisions of this Act shall not apply to any sale made in compliance with an order issued under clause (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (X of 1955) or to any purchase or sale by the Central Government or the Manipur Administration.

**42. Power to exempt specified persons, articles or trades from provisions of the Act.**—The Chief Commissioner may, by notification and subject to such conditions and restrictions as he may consider fit to impose, exempt any class of persons, any commodity, trade or class of trades from all or any of the provisions of this Act.

**43. Recovery of sums due to Government from Market Committee.**—Every sum recoverable by the Market Committee or due from a Market Committee to the Government under this Act, shall be recoverable as arrears of land revenue.

**44. Differences regarding construction of rules, etc., about weights.**—(1) Notwithstanding anything contained in the Rajasthan Weights and Measures (Enforcement) Act, 1958 (Rajasthan Act 32 of 1958), as extended to the Union territory of Manipur, when a difference arises between an Inspector or an Assistant Inspector, appointed under section 15 of the said Act and any person interested as to the meaning or construction of any rule or regulation, as to the method of verifying, adjusting or stamping any weight or weighing instrument in any market area, such difference may, at the request of the person interested or by the Inspector or the Assistant Inspector of his own accord, be referred to the Superintendent, Weights and Measures, Manipur, appointed under section 15 of the said Act and the decision of the said Superintendent shall, subject to the provisions of sub-section (2), be final.

(2) An appeal shall lie within the prescribed time from the decision under sub-section (1) to the Director or such other officer as the Chief Commissioner may appoint in this behalf and the decision of the Director or such officer, as the case may be, shall be final.

**45. Employees to be public servants.**—The Chairman, the Vice-Chairman, the members of the Market Committee on duty and every employee of the Market Committee shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (XLV of 1860).

**46. Bar of suits in absence of notice.**—(1) No suit shall be instituted against any Market Committee, its Chairman, Vice-Chairman or any other member, officer or servant thereof or any person acting under the direction of any such Market Committee, Chairman, Vice-Chairman or other member, officer or servant for anything done, or purporting to be done, in good faith as such member, Chairman, Vice-Chairman, officer or servant under this Act, until the expiration of two months next after notice in writing stating the cause of action, the name and place of abode of the intending plaintiff and the relief which he claims, has been, in the case of a Market Committee, delivered or left at its office and in the case of the Chairman, Vice-Chairman or other member, officer, servant or person as aforesaid, delivered to him or left at his office or usual place of abode, and the plaint shall contain a statement that such notice has been so delivered, or left.

(2) Every such suit shall be dismissed, unless it is instituted within six months from the date of the accrual of the cause of action.

(3) Nothing in this section shall be deemed to apply to any suit instituted under section 54 of the Specific Relief Act, 1877 (I of 1877).

**47. Protection to persons acting in good faith.**—No suit, prosecution or other legal proceedings shall be instituted against any person for anything done or intended to be done in good faith under this Act or the rules or bye-laws.

**48. Penalty.**—Any person who contravenes any provision of this Act or of any rule or bye-law or order issued thereunder shall be punishable with simple imprisonment which may extend to three months or with fine which may extend to five hundred rupees, or with both:

Provided that in the case of a continuing contravention of the provisions of section 4, he shall be liable to be punished with a further fine which may extend to one hundred rupees for every day during which the contravention is continued after the first conviction.

**49. Trial and cognizance of offences.**—(1) No court inferior to the court of a Magistrate of the Second Class shall take cognizance of, or try, any offence under this Act or under the rules or bye-laws made thereunder.

(2) No court shall take cognizance of any alleged contravention of the provisions of this Act, the rules or bye-laws or of any order made thereunder except with the previous sanction of the authority prescribed in this behalf.

**50. Audit of the accounts of the Market Committee.**—The accounts of a Market Committee shall be subject to audit by an auditor, appointed by the Chief Commissioner, and the cost of such audit, including the fee of the auditor, shall be paid out of the Market Committee Fund.

**51. Powers of Chief Commissioner to delegate its power.**—The Chief Commissioner may delegate any of its powers or functions under this Act to any class I officer.

**CHAPTER VI.—Rules and Bye-laws**

**52. Power to make rules.**—(1) The Chief Commissioner may make rules not inconsistent with this Act, for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Chief Commissioner may make rules with respect to all or any of the following matters:—

- (i) the election and appointment of members of a Market Committee, the number of members to be elected or appointed by each of the bodies or groups of individuals referred to in section 9 and the manner of their appointment and election;
- (ii) the preparation and revision of the list of voters from time to time;
- (iii) the filling of casual vacancies in the office of Chairman, Vice-Chairman or other members of the Market Committee;
- (iv) the election of the Chairman and the Vice-Chairman of a Market Committee, their powers and duties;
- (v) the meetings of the Market Committee and the procedure to be observed at such meetings;
- (vi) the powers to be exercised and the duties to be performed by a Market Committee;
- (vii) the management of a market and the maximum fees which may be levied by the Market Committee; and subject to the provisions of this Act, the recovery and disposal of such fees;
- (viii) the issue of licenses to traders, commission agents, brokers, weighmen, measurers, surveyors, warehousemen and other persons including persons or firms engaged in the processing or pressing of agricultural produce, operating in the market, the terms on which and the conditions subject to which such licenses shall be issued or renewed and the fees to be charged therefor;
- (ix) the provision of facilities for the settlement of any dispute between a buyer and a seller of agricultural produce or their agents, including disputes regarding the quality or weight of the articles, the allowances for wrappings, containers, dirt or impurities or deductions from any cause;
- (x) the prohibition of brokers from acting on behalf of both the buyer and the seller of agricultural produce in any transaction;
- (xi) the provision of accommodation for storing any agricultural produce brought into the market;
- (xii) the preparation of plans and the estimates for works proposed to be constructed partly or wholly at the expense of the Market Committees, and the grant of sanction to such plans and estimates;
- (xiii) the registers and books to be maintained by a Market Committee;
- (xiv) the form in which the accounts of a Market Committee shall be kept, the manner in which they shall be audited and the time or times at which they shall be published;
- (xv) the preparation and submission for sanction of the annual budget and the report and returns to be furnished by a Market Committee;
- (xvi) the investment and disposal of the surplus funds of a Market Committee;
- (xvii) the regulation of advances, if any, given to agriculturists by brokers, commission agents or traders;

- (xviii) the kind and description of the weights and measures and the weighing and measuring instruments which shall be used in transactions of any agricultural produce in a market area;
- (xix) the periodical inspection of all weights and measures and weighing and measuring instruments in use in a market area;
- (xx) the trade allowance which may be made or received by any person in any transaction in an agricultural produce in a market area;
- (xxi) the prevention of adulteration of agricultural produce;
- (xxii) the grading and standardisation of agricultural produce;
- (xxiii) the keeping of a list of prices of agricultural produce in respect of which the market is established;
- (xxiv) the time within which an appeal shall lie to the Chief Commissioner or the officer appointed by him in that behalf under sub-section (2) of section 44;
- (xxv) the manner in which auction of agricultural produce shall be conducted and bids made and accepted in any market;
- (xxvi) the quantity of agricultural produce for retail sale or consumption under section 15;
- (xxvii) the conditions subject to which the Market Committee may lease, sell or otherwise transfer any property under this Act;
- (xxviii) the procedure and conduct of meetings of the Market Committee;
- (xxix) the discipline, control, punishment, dismissal, discharge, removal of officers and servants of the Committee; and
- (xxx) any other matter which is required to be or may be prescribed.

(3) The power to make rules conferred by this section is subject to the condition of the rules being made after previous publication.

**53. Power to make bye-laws.**—(1) The Market Committee may, with the previous sanction of the Director or any other officer specially empowered in this behalf by the State Government, in respect of the market area under its management, make bye-laws not inconsistent with this Act and the rules, for carrying into effect the purposes of this Act.

(2) Such bye-laws shall be made after previous publication.

#### SCHEDULE

[See Section 2 (1) (a).]

##### I. Cereals

- (1) Paddy.
- (2) Rice.
- (3) Wheat.
- (4) Maize.
- (5) Barley.
- (6) Ragi or Marua.
- (7) Jowar.
- (8) Bajra.
- (9) Shama.
- (10) Kauni.
- (11) Cheena.
- (12) Kodo.
- (13) Gondli.

##### II. Pulses

- (1) Gram.
- (2) Arhar.
- (3) Masur.
- (4) Urd or Kalai.
- (5) Khesari.

- (6) Mung.
- (7) Dry Peas (Matar or Kerao).
- (8) Kulthi.
- (9) Cowpea seed (dry).
- (10) Naga Dal.

### III. Oilseeds

- (1) Mustard, Rape and Toria.
- (2) Linseed.
- (3) Castor seed.
- (4) Groundnut.
- (5) Sesamum seed.
- (6) Niger seed.
- (7) Mahua seed.
- (8) Kusum seed.

### IV. Oils

All vegetable oils.

### V. Fruits

- (1) Mango.
- (2) Banana.
- (3) Lichi.
- (4) Orange.
- (5) Lemon.
- (6) Grapes.
- (7) Pomegranate.
- (8) Melons.
- (9) Jackfruits.
- (10) Blackberry.
- (11) Guava.
- (12) Naspati.
- (13) Apple.
- (14) Pineapple.

### VI. Vegetables

- (1) Potato.
- (2) Onion.
- (3) Palwal.
- (4) Brinjals.
- (5) Gourd.
- (6) Bhindi.
- (7) Pumpkin.
- (8) Tomato.
- (9) Cauliflower.
- (10) Cabbage.
- (11) Green Peas.
- (12) Beans.
- (13) Sag.
- (14) Carrot.
- (15) Radish.
- (16) Sweet potato.
- (17) Lai Patta.

### VII. Fibres

- (1) Cotton (ginned and unginnea).
- (2) Jute.
- (3) Sunnhemp.

### VIII. Animal Husbandry Products

- (1) Poultry.
- (2) Egg.
- (3) Cattle.
- (4) Sheep.
- (5) Goat.
- (6) Wool.
- (7) Butter.
- (8) Ghee.
- (9) Milk.
- (10) Hides and Skins.
- (11) Bones.
- (12) Fleece.

IX. Condiments, Spices  
and others.

- (13) Goat meat and Mutton.
- (14) Fish.
- (15) Pig.
- (16) Dog.

- (1) Turmeric.
- (2) Chillies.
- (3) Garlic.
- (4) Coriander.
- (5) Ginger.
- (6) Cardamom and Pepper.
- (7) Betel leaves.
- (8) Betelnuts.
- (9) Cashewnuts.
- (10) Methi.

X. Grass, Fodder and  
Thatching Grass.

XI. Narcotics

Tobacco.

XII. Miscellaneous

- (1) Sugarcane.
- (2) Gur.
- (3) Sugar.
- (4) Lac.
- (5) Oil-cakes.

[No. F. 5/3/62-Judl. II/UTL-57.]

P. N. KAUL, Dy. Secy.

ORDERS

*New Delhi, the 28th March 1963*

**G.S.R. 583.**—In exercise of the powers conferred by section 3A of the Foreigners Act, 1946 (31 of 1946), the Central Government hereby makes the following Order further to amend the Foreigners (Exemption) Order, 1957, namely:—

ORDER

1. This Order may be called the Foreigners (Exemption) Second Amendment Order, 1963.

2. In paragraph 2 of the Foreigners (Exemption) Order, 1957, after item (10), the following items shall be inserted namely:—

- “(11) Federation of Nigeria
- (12) Republic of Cyprus
- (13) Sierra Leone
- (14) Tanganyika
- (15) Jamaica
- (16) Trinidad and Tobago
- (17) Uganda.”

[No. 6/164/62-(II)-F.1.]

**G.S.R. 584.**—In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (18 of 1939), the Central Government hereby makes the following Order further to amend the Registration of Foreigners (Exemption) Order, 1957, namely:—

ORDER

1. This Order may be called the Registration of Foreigners (Exemption) Second Amendment Order, 1963.

2. In sub-paragraph (1) of paragraph 3 of the Registration of Foreigners (Exemption) Order, 1957, for the words “Federation of Malaya and Ghana”, the following shall be substituted, namely:—

“Federation of Malaya, Ghana, Federation of Nigeria, Republic of Cyprus, Sierra Leone, Tanganyika, Jamaica, Trinidad and Tobago, and Uganda”.

[No. 6/164/62-(I)-F.1.]

FATEH SINGH, Joint Secy.

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**MINISTRY OF COMMERCE AND INDUSTRY****(Department of International Trade)****COFFEE CONTROL***New Delhi, the 27th March 1963*

**G.S.R. 585.**—In exercise of the powers conferred by section 48 of the Coffee Act, 1942. (7 of 1942), the Central Government hereby makes the following rules further to amend the Coffee Rules, 1955, published with the Notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 1666, dated the 1st August, 1955, namely:—

1. These rules may be called the Coffee Amendment Rules, 1963.
2. In clause (b) of rule 38, for the words “one year”, the words “two years” shall be substituted.

[No. F. 2(2)Plant(B)/63.]

B. KRISHNAMURTHY, Under Secy.

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**MINISTRY OF FOOD AND AGRICULTURE****(Department of Food)***New Delhi, the 29th March 1963*

**G.S.R. 586.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the National Sugar Institute (Classes I and II Posts) Rules, 1958, published with the notification of the Government of India, in the Ministry of Food and Agriculture (Department of Food), No. G.S.R. 496, dated the 11th June, 1958, namely:—

1. These rules may be called the National Sugar Institute (Classes I and II Posts) Third Amendment Rules, 1963.
2. In the Schedule to the National Sugar Institute (Classes I and II Posts) Rules, 1958, for the entries in column 7 relating to items 14 and 15, the following entries shall be substituted, namely:—

**“Essential:**

- (i) Degree in Mechanical Engineering of a recognised University or equivalent.
- (ii) About five years' experience in Mechanical Engineering including designing, erecting and operating of machines in sugar factory.

**Destorable:**

- (i) Teaching experience.
- (ii) Training in sugar engineering in a recognised Institute.”

[No. 3-141/62-Sugar.]

PARTAP SINGH, Under Secy.

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**MINISTRY OF WORKS, HOUSING AND REHABILITATION****(Department of W. & H.)***New Delhi, the 25th March 1963*

**G.S.R. 587.**—The following draft of certain Regulations further to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 31st May, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the



Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Rehabilitation, North Block, New Delhi.

#### *Draft Regulations*

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1963.

2. In the Indian Boiler Regulations, 1950, for the first paragraph of Regulation 591, the following shall be substituted, namely:—

'591. *Gusset, Link, Brace and Similar Stays*.—For welded lancashire cornish and cylindrical horizontal multitubular type boilers, all-welded gusset stays shall not be used. To ensure flexibility, link stays, bar stays, brace stays and other similar stays or suitably designed gusset stays other than the all-welded type shall be used. All-welded gusset stays, however, may be used in cylindrical horizontal waste heat and cylindrical vertical multitubular boilers."

[No. S&PII/BL-9(8)/62.]

#### **CORRIGENDUM**

*New Delhi, the 28th March 1963*

**G.S.R. 588.**—In the notification of the Government of India in the Ministry of Works, Housing & Rehabilitation (Department of Works and Housing), Central Boilers Board No. S&PII/BL-9(64)/61, dated the 2nd March, 1963, published as G.S.R. 442 at page 389 of the Gazette of India, Part II, Section 3, Sub-section (1), dated the 9th March, 1963/Phalguna 18th, 1884, the following shall be inserted between the word and figures "the" and "1963", namely:—  
"31st May,".

[No. S&PII/BL-9(64)/61.]

K. B. SAXENA, Secy.,  
Central Boilers Board.

#### **MINISTRY OF TRANSPORT AND COMMUNICATIONS**

**(Department of Transport)**

**(Roads Wing)**

*New Delhi, the 27th March 1963*

**G.S.R. 589.**—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following further amendments in the rules regulating the recruitment to the Central Engineering Service (Roads) of the Ministry of Transport and Communications, Department of Transport (Roads Wing), Class I, published with this Ministry's Notification No. G.S.R. 1558, dated the 20th December 1960.

#### *Amendments*

(1) The existing para 5 shall be substituted by the following:—

"A candidate must be either—

(i) a citizen of India, or

(ii) a subject of Sikkim, or

(iii) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India;

Provided that, subject to the issue of a certificate of eligibility in his favour, a subject of Nepal, or a Tibetan who came over to India before the 1st January, 1962, with the intention of permanently settling in India, may also be appointed to any Central Service or post.

Provided further that a candidate belonging to category (iii) above must be a person in whose favour a certificate of eligibility has been given by the Govern-

ment of India and that the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he can be retained in service only if he has become a citizen of India. Certificate of eligibility will not, however, be necessary in the case of a candidate belonging to any one of the following categories:—

- (a) Persons who migrated to India from Pakistan before the 19th July 1948, and have ordinarily been residing in India since then.
- (b) Persons who migrated to India from Pakistan after the 18th July 1948, and have got themselves registered as citizens under Article 6 of the Constitution.
- (c) Non-citizens of category (iii) above who entered service under the Government of India before the commencement of the constitution, viz., 26th January 1950, and who have continued in such service since then. Any such person who re-entered or may re-enter such service with break after the 26th January 1950, will, however, require certificate of eligibility in the usual way.

A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination and he may also be provisionally appointed subject to the necessary certificate being eventually issued in his favour by Government."

(2) For the existing sub-para (a) of para 8, the following shall be substituted:—

"(a) obtained a degree in Engineering from a University incorporated by an Act of the Central or State Legislature in India or other educational Institutes established by an Act of Parliament; or"

(3) For the last sentence of Note II under para 8, the following shall be substituted:—

"Such candidates will be admitted to the examination, if otherwise eligible, but the admission would be deemed to be provisional and subject to cancellation if the candidates do not produce proof of having passed the examination, as soon as possible, and in any case not later than two months after the commencement of this examination".

(4) The second sentence of para 12 shall be substituted by the following:—

"No claim for a refund of the fees will be entertained except to the extent stated in that Appendix nor can the fees be held in reserve for any other examination or selection".

(5) The third sentence of para 15 shall be substituted by the following:—

"All candidates who are declared qualified for the personality Test will be physically examined at the place where they are summoned for interview, either immediately before or after the interview. Candidates will have to pay a fee of Rs. 16.00 to the Medical Board. The fact that a candidate has been physically examined will not mean or imply that he will be considered for appointment."

(6) The sentence "Rs. 16/- before examination by a Medical Board, if selected for appointment" under para 1(b) of Appendix III shall be substituted by the following:—

"Rs. 16.00 before examination by a Medical Board, if declared qualified for the personality Test."

(7) The sub-para to para 2 of Appendix II shall be substituted by the following:—

"In exceptional cases, the Commission may accept a Surveying certificate from any other institution not recognised by them for the purpose of admission to the competitive examination for the service, if they are satisfied that the practical training in Surveying imparted in that institution would meet the requirements of the Service, and their decision in the matter will be final.

[No. A-1(39)/60.]

H. P. SINHA,

Consulting Engineer (Road Development) & Jt. Secy.

## (Department of Communications and Civil Aviation)

(P. &amp; T. Board)

*New Delhi, the 29th March 1963*

**G.S.R. 590.**—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules further to amend the Posts and Telegraphs Accountants' Service (Recruitment) Rules, 1958, namely:—

1. These rules may be called the Posts and Telegraphs Accountants' Service (Recruitment) Amendment Rules, 1963.

2. For rule 7 of the Posts and Accountants' Service (Recruitment) Rules, 1958, the following rule shall be substituted, namely:—

"7. *Eligibility*: The officials in the Indian Posts and Telegraphs Department, who have been granted quasi-permanency certificates irrespective of the length of service as quasi-permanent officials or permanent officials and who have a satisfactory record of service, shall be eligible to appear for Part I of the examination. Only those officials who have qualified in Part I of the examination shall be eligible to appear for Part II of the examination.

NOTE.—The members of the staff of the Directorate, who have been included in the Central Secretariat Service, Central Secretariat Stenographer Service and Central Secretariat Clerical Service, shall not be eligible to appear for the examination."

[No. 32/28/62-SPA.]

HIT PRAKASH,  
Assistant Director General.

**MINISTRY OF LABOUR & EMPLOYMENT***New Delhi, the 27th March 1963*

**G.S.R. 591.**—Whereas the Central Government is of opinion that a provident fund scheme should be framed under the Employees' Provident Funds Act, 1952 (19 of 1952), in respect of the employees of the industries specified in the Table below;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby adds, with effect from the 30th April, 1963, the industries specified in the Table below to Schedule I to the said Act.

**TABLE**

- (1) Buttons.
- (2) Brushes.
- (3) Plastic and Plastic products.
- (4) Stationery products.

[No. 4(5)61-PF. II.]

P. D. GAIHA, Under Secy.

*New Delhi, the 29th March 1963*

**G.S.R. 592.**—The following Regulations further to amend the Coal Mines Regulations, 1957, which the Central Government proposes to make, in exercise of the powers conferred by section 57 of the Mines Act, 1952 (35 of 1952), is published, as required by sub-section (1) of section 59 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 10th July 1963.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### *Draft Regulation*

1. These Regulations may be called the Coal Mines (Amendment) Regulations, 1963.

2. In sub-regulation (1) of regulation 33 of the Coal Mines Regulations, 1957, for the proviso, the following proviso shall be substituted, namely:—

“Provided that after such date as the Central Government may notify in the Official Gazette, no person shall, except with the previous permission in writing of the Chief Inspector and subject to such conditions as he may specify therein, be so appointed in a mine having an average output of more than 5,000 tonnes, unless he holds a degree or equivalent qualifications in electrical or mechanical engineering recognised by the Central Government for the purpose of recruitment to superior posts and services under them.”

[No. 1/6/63-MI/Am.(3).]

R. C. SAKSENA, Under Secy.

*New Delhi, the 29th March 1963*

**G.S.R. 593.**—The following draft of rules further to amend the Minimum Wages (Central) Rules, 1950, which the Central Government propose to make, in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (11 of 1948), is published as required by sub-section (1) of that section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 31st May 1963.

Any objections or suggestions which may be received from any person with regard to the said draft before the date so specified will be considered by the Central Government.

#### *DRAFT RULES*

1. These Rules may be called the Minimum Wages (Central) Second Amendment Rules, 1963;

2. In the Minimum Wages (Central) Rules, 1950, hereinafter referred to as the said rules, sub-rule (6) of rule 26 shall be omitted;

3. In the said Rules, after rule 26-B, the following rule shall be inserted as Rule 26-C, namely:—

“26-C. Notwithstanding anything contained in these Rules, where a combined (alternative) form is sought to be used by the employer to avoid duplication of work for compliance with the provisions of any other Act or the Rules framed thereunder, an alternative suitable form in lieu of any of the forms prescribed under these Rules may be used with the previous approval of the Chief Labour Commissioner (Central).”

[No. LWI(1)3(14)/62.]

K. K. UPPAL, Under Secy.

*New Delhi, the 29th March 1963*

**G.S.R. 594.**—In exercise of the powers conferred by section 95 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the Employees' State Insur-

ance (Central) Rules, 1950, the same having been previously published, as required by sub-section (1) of the said section, namely:—

*Amendment*

1. These rules may be called the Employees' State Insurance (Central) Amendment Rules, 1963.

2. In the Employees' State Insurance (Central) Rules, 1950, in the proviso to sub-rule (2) of rule 29, for the words "ten thousand rupees", the words "rupees five lakhs" shall be substituted.

[No. F. 1(30)/61-HL.]

O. P. TALWAR, Under Secy.

## MINISTRY OF INFORMATION AND BROADCASTING

## CORRIGENDUM

New Delhi, the 26th March, 1963

**G.S.R. 595.**—In the notification of the Government of India in the Ministry of Information and Broadcasting, No. 1761, dated the 17th December 1962, relating to “the Office of the Registrar of Newspapers for India (Accounts Clerk) Recruitment Rules, 1962”, published at page 2123 of the Gazette of India, Part II, Section 3, Sub Section (i), dated 22nd December 1962/Pausa 1, 1884, after rule 6 relating to Disqualifications, insert the following Schedule:—

## SCHEDULE

Sl. No.	Name of the post	Classification of the post	Scale of pay	Percentage of posts to be filled by				For direct recruitment only		For promotion/transfer	
				Direct recruitment	Promotion by selection	Promotion by seniority-cum-fitness	Transfer-Deputation	Age limits	Educational and other qualifications required	Whether age and educational qualifications prescribed for direct recruitment will apply in case of appointment by promotion/transfer	Grade/sources from which promotions, transfer are to be made
1	2	3	4	5	6	7	8	9	10	11	12
I	Accounts Clerk	General Central Service, Class III (Ministerial) (Non-Gazetted).	Rs. 130—5—160— 8—200—EB —8—256— EB—8—280.	100%	..	..	..	19 to 25 years.	Essential : (1) Intermediate/ Senior Cambridge/ Higher Secondary Certificate or equivalent. (2) At least two years' experience	Not applicable.	Not applicable.

in accounts "work  
in a Government  
or semi-Govern-  
ment office or a  
commercial firm  
of standing.F

*Desirable :*

- (1) A Degree in a  
Commerce.
- (2) Experience in a  
newspaper office  
or in a Government  
organisation deal-  
ing with newspaper  
industry.

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[No.F.16/29/62-I(A)]

R. K. GOVIL, Under Secy.

**MINISTRY OF FINANCE****(Department of Expenditure)***New Delhi, the 26th March 1963*

**G.S.R. 596.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following Regulations further to amend the Civil Service Regulations, namely:—

1. These Regulations may be called the Civil Service (Second Amendment) Regulations 1963.

(i) They shall be deemed to have come into force from the 1st day of April, 1961.

2. In the Civil Service Regulations, (i) in article 107 the following proviso shall be inserted at the end, namely:—

"Provided that the provisions contained in Article 156-A shall not be applicable in the matter of refixation of pay under this Article".

(ii) after Article 156, the following Article shall be inserted, namely:—

"156-A. Notwithstanding anything contained in these Regulations, where a Government servant holding a post in a substantive, temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by one increment at the stage at which such pay has accrued, provided that:

(i) where a Government servant immediately before his promotion or appointment to the higher post was drawing pay at the maximum of the time-scale of the lower post, his initial pay in the time-scale of the higher post shall be fixed at the stage in that time-scale next above such maximum in the lower post;

(ii) the provisions of this Article shall not apply where a Government servant holding a Class-I post in a substantive, temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to a higher Class-I post;

(iii) the provisions contained in Article 107 shall not be applicable in any case where the initial pay is fixed under this Article;

NOTE: In this Article the expression 'Class I Post' has the meaning assigned to it under the Civilians in Defence Services (Classification, Control and Appeal) Rules, 1952.

[Article 107 was last amended in the Ministry of Finance (Department of Expenditure) Notification No. GSR 49 dated the 2nd January 1962.]

[No. 2(70)-E. III/61.]

RABI RAY, Dy. Secy.

**(Department of Revenue)****MEDICINAL AND TOILET PREPARATIONS***New Delhi, the 30th March 1963*

**G.S.R. 597.**—In pursuance of sub-rule (3) of rule 60 of the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956, the Central Government hereby



declares that the now medicinal preparations specified in the Table below shall be included in the category of unrestricted preparations.

TABLE  
(Unrestricted Preparations)

<i>Medicinal Preparations</i>	
TOSSEX SYRUP . . . . .	Manufactured by Messrs Sarabhai Chemicals, Baroda.
ORAL PERNAVIT FORTIFIED . . . . .	Manufactured by Messrs Neo-Pharma Private Limited, Bombay.
HAEMOPLEX . . . . .	Manufactured by Messrs Pratap Industries, Chittur-Kerala.
PRINTOPLEX . . . . .	Manufactured by Messrs Pratap Industries, Chittur-Kerala.
PRINTOPHOS . . . . .	Manufactured by Messrs Pratap Industries, Chittur-Kerala.
VASACODIN COUGH SYRUP . . . . .	Manufactured by Messrs Pratap Industries, Chittur-Kerala.
PRINTOZOL . . . . .	Manufactured by Messrs Pratap Industries, Chittur-Kerala.
JWAR HARAN . . . . .	Manufactured by Messrs Anandkar Karyalaya Private Ltd., Etawah.
ANAND GRIPE WATER . . . . .	Manufactured by Messrs Anandkar Karayalaya Private Ltd., Etawah.
TONIAZOL FORTE . . . . .	Manufactured by Messrs Rollis India Ltd., Bombay.

[No. 10.]

#### CUSTOMS AND CENTRAL EXCISE

*New Delhi, the 30th March 1963*

**G.S.R. 598.**—In exercise of the powers conferred by sub-section (2) of section 75 read with sub-section (3) of section 160 of the Customs Act, 1962 (52 of 1962) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), the Central Government hereby makes the following rules to amend the Customs and Central Excises Duties Export Drawback (General) Rules, 1960, namely:—

#### *Amendment*

1. These rules may be called the Customs and Central Excises Duties Export Drawback (General) Amendment Rules, 1963.

2. In the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, in the Second Schedule, after the existing item at Serial No. 136 and entries relating thereto, the following shall be added, namely:—

“137. Mathematical Instruments”.

[No. 16/F. No. 34(1)/3/62-Cus. IV.]

#### CUSTOMS

*New Delhi, the 30th March 1963*

**G.S.R. 599.**—In exercise of the powers conferred by sub-section (1) of section 75 read with sub-section (3) of section 160 of the Customs Act, 1962 (52

of 1962), the Central Government hereby makes the following further amendment in the Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. G.S.R.—575 (55/F. No. 34/86/60-Cus. IV), dated the 28th May, 1960, namely:—

#### *Amendment*

In the Schedule to the said notification after the existing item at Serial No. 175 and entries relating thereto the following shall be added, namely:—

“176. Mathematical Instruments”.

[No. 98/F. No. 34(1)/3/62-Cus.IV.]

J. BANERJEE, Dy. Secy.

### (Department of Revenue)

#### CUSTOMS

*New Delhi, the 6th April 1963*

**G.S.R. 600.**—In exercise of the powers conferred by sub-section (1) of section 25 read with sub-section (3) of section 160 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 66-Customs dated the 24th June, 1961, namely:—

In the said notification,

- (i) the words “as in force in India and as applied to the State of Pondicherry” and “or the State of Pondicherry” shall be omitted; and
- (ii) for the words “methoxy pyridoxine”, the words “methoxy pyridoxine hydrochloride” shall be substituted.

[No. 102/F. No. 5/91/62-Cus.I.]

J. DATTA, Under Secy.

### (Department of Revenue)

#### CENTRAL EXCISES

*New Delhi, the 6th April 1963*

**G.S.R. 601.**—In exercise of the powers conferred by Sub-section (2) of section 3 of the Central Excises and Salt Act, 1944 (1 of 1944), and in supersession of the Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 76/59-Central Excises, dated the 20th August 1959, the Central Government hereby fixes the tariff value for furnace oil falling under Item No. 10 of the First Schedule to the said Act, at Rs. 80/- per Metric Tonne.

2. This Notification shall be deemed to have taken effect from the 1st March, 1963.

[No. 57/63.]

L. S. MARTHANDAM, Dy. Secy.

#### ERRATA

In the Ministry of Finance (Deptt. of Revenue), Notification No. 53/63-Central Excises, dated 16th March, 1963, published in the Gazette of India, Part II-Section

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3(i), dated 16th March, 1963 as G.S.R. 441, the following correction is to be made:—

Page 408, 2nd Para—

*For* "I. In the Table annexed to the said, Notification, after Serial No. 5 and entries relating thereto shall be inserted, namely:—"

*Read* "I. In the Table annexed to the said Notification, after Serial No. 5 and the entries relating thereto the following shall be inserted, namely:—"

